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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/291,071	04/14/1999	MASAHITO NIIKAWA	032567010	1642

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EXAMINER	
HANNETT, JAMES M	

ART UNIT	PAPER NUMBER
2612	

DATE MAILED: 02/26/2004 15

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/291,071	NIIKAWA, MASAHITO	
	Examiner	Art Unit	
	James M Hannett	2612	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on 2/2/2004.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) 7-11 and 13-15 is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) 7-11 and 13-15 is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on 14 April 1999 is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

1: Claims 7, 8 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over USPN 5,675,358 Bullock et al in view of USPN 6,353,461 Shore et al.

2: As for Claim 7, Bullock et al depicts in Figure 1 a photographing apparatus (118) and an image processing apparatus (100) connected together (117). Bullock et al teaches on Column 5, Lines 15-19 the use of mode setting switches for setting a photographing mode of an image capture device. Bullock et al depicts in Figures 1 and 5 and teaches on Column 5, Lines 8-28 the use of a display for displaying an indicator (177) through which an instruction for a photographing action is transmitted to an image capture device. Bullock et al teaches on Column 5, Lines 49-54 that the computer program or controller displays a photographed image display window on the monitor after the photographing mode has been set and the object is photographed by the camera in response to an instruction from the indicator (177).

Bullock et al does not teach that the mode-setting unit can switch between a photographing mode for taking pictures and a reproduction mode for displaying a recorded image.

Shore et al depicts in Figure 5 and teaches on Column 8, Lines 1-17 that it is advantageous when designing a computer program to control a camera remotely to enable the

program with a record function (135) and a playback function (145) in order to allow a user to record video and play back the captured video at a later time for reviewing and editing.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to enable the image capture control program of Bullock et al to include both record and playback functions as taught by Shore et al in order to enable a user to record video and play back the captured video at a later time for reviewing and editing.

3: In regards to Claim 8, Bullock et al teaches on Column 5, Lines 15-19 the use of mode setting switches for setting a photographing mode of an image capture device. Bullock et al depicts in Figures 1 and 5 and teaches on Column 5, Lines 8-28 the use of a display for displaying an indicator (177) through which an instruction for a photographing action is transmitted to an image capture device. Bullock et al teaches on Column 5, Lines 49-54 that the computer program or controller displays a photographed image display window on the monitor after the photographing mode has been set and the object is photographed by the camera in response to an instruction from the indicator (177).

Bullock et al does not teach that the mode-setting unit can switch between a photographing mode for taking pictures and a reproduction mode for displaying a recorded image.

Shore et al depicts in Figure 5 and teaches on Column 8, Lines 1-17 that it is advantageous when designing a computer program to control a camera remotely to enable the program with a record function (135) and a playback function (145) in order to allow a user to record video and play back the captured video at a later time for reviewing and editing.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to enable the image capture control program of Bullock et al to include both record and playback functions as taught by Shore et al in order to enable a user to record video and play back the captured video at a later time for reviewing and editing.

4: As for Claim 13, Bullock et al depicts in Figure 1 a photographing apparatus (118) and an image processing apparatus (100) connected together (117). Bullock et al teaches on Column 5, Lines 15-19 the use of mode setting switches for setting a photographing mode of an image capture device. Bullock et al depicts in Figures 1 and 5 and teaches on Column 5, Lines 8-28 the use of a display for displaying an indicator (177) through which an instruction for a photographing action is transmitted to an image capture device. Bullock et al teaches on Column 5, Lines 49-54 that the computer program or controller displays a photographed image display window on the monitor after the photographing mode has been set and the object is photographed by the camera in response to an instruction from the indicator (177).

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Shore et al depicts in Figure 5 and teaches on Column 8, Lines 1-17 that it is advantageous when designing a computer program to control a camera remotely to enable the program with a record function (135) and a playback function (145) in order to allow a user to record video and play back the captured video at a later time for reviewing and editing.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to enable the image capture control program of Bullock et al to include both

record and playback functions as taught by Shore et al in order to enable a user to record video and play back the captured video at a later time for reviewing and editing.

6: Claims 11 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over USPN 5,999,213 Tsushima et al in view of USPN 5,452,222 Gray et al in view of USPN 5,675,358 Bullock et al

7: As for Claim 11, Tsushima et al teaches in Figure 7 and on Column 16, Lines 17-47 the use of a computer program that allows a user to view iconic representations of each of the cameras connected to a computer via a network. Tsushima et al teaches that by clicking on the iconic representation of each camera a user can control and setup parameters for each camera. This is achieved because when a user clicks on a camera a new window is displayed that has controls that allow a user to control the camera.

However, Tsushima et al does not teach that when the camera icon is clicked that it will display a window that shows components of the photographing apparatus.

Gray et al teaches on Column 14, Lines 15-44 and depicts in Figure 7a the use of a programming technique that utilizes virtual instruments so that the computer interface used on a computer to control a piece of equipment is designed so that the user interface mimics how the front panel of the actual piece of test equipment looks like. This is advantageous because it reduces training time since the computer interface and controls for the computer user interface are the exact same as the user interface on the actual piece of equipment.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to design the user interface for controlling the camera functions of Tsushima et al so that the user interface resembles the actual user interface on the camera, in order to

increase familiarity so that any user who is already skilled at operating the video camera can use the computer user interface with little or no learning time.

Tsushima et al in view of Gray et al does not teach that the camera user interface includes a power off button for turning off the power source of the camera, and minimizing the window when the power to the camera is turned off.

Bullock et al teaches on Column 9, Lines 7-25 and depicts in Figure 4 the method of controlling the functions of a camera remotely by using a computer. Bullock et al teaches that the computer can turn off the power to the viewfinder and the camera, and take a picture. Bullock et al teaches on Column 9, Lines 7-25 the use of a controller for minimizing a display window to an iconic state when the indicator has been actuated when a power-off instruction has been transmitted from the indicator displayed on the display.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to enable the camera control system of Tsushima et al in view of Gray et al al to include a power off button that will turn the power of the video camera off, and minimize the control window, so that the user can turn off the camera on request an therefore save power.

8: In regards to Claim 14, Tsushima et al teaches in Figure 7 and on Column 16, Lines 17-47 the use of a computer program that allows a user to view iconic representations of each of the cameras connected to a computer via a network. Tsushima et al teaches that by clicking on the iconic representation of each camera a user can control and setup parameters for each camera. This is achieved because when a user clicks on a camera a new window is displayed that has controls that allow a user to control the camera.

However, Tsushima et al does not teach that when the camera icon is clicked that it will display a window that shows components of the photographing apparatus.

Gray et al teaches on Column 14, Lines 15-44 and depicts in Figure 7a the use of a programming technique that utilizes virtual instruments so that the computer interface used on a computer to control a piece of equipment is designed so that the user interface mimics how the front panel of the actual piece of test equipment looks like. This is advantageous because it reduces training time since the computer interface and controls for the computer user interface are the exact same as the user interface on the actual piece of equipment.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to design the user interface for controlling the camera functions of Tsushima et al so that the user interface resembles the actual user interface on the camera, in order to increase familiarity so that any user who is already skilled at operating the video camera can use the computer user interface with little or no learning time.

Tsushima et al in view of Gray et al does not teach that the camera user interface includes a power off button for turning off the power source of the camera, and minimizing the window when the power to the camera is turned off.

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Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to enable the camera control system of Tsushima et al in view of Gray et al to include a power off button that will turn the power of the video camera off, and minimize the control window, so that the user can turn off the camera on request an therefore save power.

Allowable Subject Matter

9: Claims 9, 10 and 15 are allowed.

The following is a statement of reasons for the indication of allowable subject matter: The prior art does not teach or fairly suggest the use of connecting a camera to a computer, wherein a display on the computer displays a plurality of windows and function indicators based on data processed by the computer, wherein one of the windows shows the camera. Furthermore, the prior art does not teach the method of minimizing the window showing the photographing apparatus when the power-off instruction has been transmitted from the power off indicator.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. USPN 5,291,587 Kodosky et al teaches the use of user interfaces that control equipment remotely.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to James M Hannett whose telephone number is 703-305-7880. The examiner can normally be reached on 8:00 am to 5:00 pm M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wendy Garber can be reached on 703-305-4929. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

James M. Hannett
Examiner
Art Unit 2612

JMH
February 19, 2004

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